



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in the Application of: Cheng et al.

CASE NO.: CL2365 US NA

APPLICATION NO.: 10/808,807

GROUP ART UNIT: UNKNOWN

FILED: MARCH 24, 2004

EXAMINER: UNKNOWN

FOR: GENES ENCODING CAROTENOID COMPOUNDS

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In compliance with 37 CFR 1.97 and 1.98, Applicants bring to the attention of the U.S. Patent and Trademark Office information listed on the enclosed PTO/SB/08A and PTO/SB/08B. A copy of the information is also enclosed.

Should any fee be required in connection with the filing of this Information Disclosure Statement, please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,

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Dated: 6/9/04

Enclosures

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U.S. PATENT DOCUMENTS								
Examiner Initials *	Cite No.1	Number Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear			
		5,656,472	Amoco Corp.	08/12/1997				
		5,545,816	Ausich et al.	08/13/1996				
		5,530,189	Ausich et al.	06/25/1996				
		5,530,188	Ausich et al.	06/25/1996				
		5,429,939	Misawa et al.	07/04/1995				
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	FOREIGN PATENT DOCUMENTS									
Examiner	Cite	For	eign Patent Docur	nent	Name of Patentee	Date of Publication of	Pages, Columns, Lines, Where Relevant			
Initials*	No.1	Office ³		ind Code ⁵ if known)	or Applicant of Cited Document	or Applicant or Cited Document Bossess or Belever		T ₆		
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/		Nelis and Leenheer, Microbial sources of carotenoid pigments used in foods and feeds, Journal Appl. Bacteriol. 70: pp. 181-191, 1991						
/		Misawa and Shimada, Metabolic engineering for the production of carotenoids in non-carotenogenic bacteria and yeasts, J. Biotech. Vol. 59:pp. 169-181, 1998						
/		Hauben et al., Phylogenetic Position of Phbytopathogens within the Enterobacteriaceae, Syst. Appl. Microbiol. 21(3),: pp. 384-397, Aug. 1998						
/		G. Armstrong, Eubacteria Show Their True Colors: Genetics of Carotyenoid Pigment biosynthesis from Microbes to Plants, J. Bact. 176: 4795-4802, 1994						
,		Armstrong et al., Genetics of Eubacterial Carotenoid Biosynthesis: A Colorful Tale, Annu. Rev. Microbiol. 51: pp. 629-659, 1997						
/		GenBank Accession No. M87280, Pantoea agglomerans, April 11, 2001						
1		GenBank AccessionNo. D90087, Pantoea stewartii, December 18, 2002						
1		GenBank Accession No. AY166713, Pantoea ananatis, August 24, 2002						
C	-	GenBank Accession No. AB076662, Pantoea agglomerans pv. Milletiae, December 26, 2001						

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